

NOTICE OF INTRODUCTION OF ORDINANCE

NOTICE IS HEREBY GIVEN that the following entitled ordinance was introduced in writing in the form required for adoption at a meeting of the Parish Council of the Parish of Livingston, State of Louisiana, on September 27, 2012, and laid over for publication of notice:

L.P. ORDINANCE 12-37

AN ORDINANCE TO AMEND ARTICLE IV OF CHAPTER 13 OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, "SUBDIVISION REGULATIONS," SECTION 13-49.3, "SUBMITTALS", SECTION 13-49.6 "REQUIREMENTS FOR MINOR SUBDIVISIONS", SECTION 13-50, "PROCEDURES FOR SUBDIVISIONS WITH IMPROVEMENTS, AS FOLLOWS.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on Thursday, October 25, 2012, at six (6:00) o'clock p.m., at the Parish Council Chambers, Governmental Building, 20355 Government Boulevard, Livingston, Louisiana, at which time there will be a public hearing on the adoption of the aforesaid ordinance.

Lisa Frederick, Council Clerk

Cindy Wale, Council Chair

(As per rules of the Council, copies of the proposed ordinance shall be made available for public inspection in the Office of the Livingston Parish Council.)

The following ordinance, which was previously introduced in written form required for adoption at a regular meeting of the Parish Council on September 27, 2012 a summary thereof having been published in the official journal together with a notice of public hearing which was held in accordance with said public notice, was brought up for final passage October 25, 2012, on Motion of Chance Parent and seconded by Joan Landry:

L.P. ORDINANCE 12-37

AN ORDINANCE TO AMEND ARTICLE IV OF CHAPTER 13 OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, "SUBDIVISION REGULATIONS," SECTION 13-49.3, "SUBMITTALS", SECTION 13-49.6 "REQUIREMENTS FOR MINOR SUBDIVISIONS", SECTION 13-50, "PROCEDURES FOR SUBDIVISIONS WITH IMPROVEMENTS, AS FOLLOWS.

WHEREAS, on September 13, 2001, the Livingston Parish Council adopted L.P. Ordinance 01-16, "An Ordinance to Amend and Reenact Article IV, Chapter 13, Subdivision Regulations, of the Livingston Parish Code of Ordinances and Related Matters Thereto;" and

WHEREAS, the Livingston Parish Council has enacted numerous amendments to Chapter 13 of the Code of Ordinances to make necessary and desirous updates and revisions to that section of the Code setting out Subdivision regulations; and

WHEREAS, the Livingston Parish Council now desires to make further amendments to the Subdivision regulations.

THEREFORE, BE IT ORDAINED by the Livingston Parish Council, governing authority of the Parish of Livingston, State of Louisiana:

SECTION 13-49.3 of ARTICLE IV of CHAPTER 13 of the Code of Ordinances is hereby amended as follows:

SECTION 13-49.3 SUBMITTALS, SECTION B. Subdivisions without Improvements shall be deleted entirely and the following shall replace that Section:

SECTION 13-49.3. SUBMITTALS

B. Subdivisions without Improvements

The O/D/S must submit a final plat to the Review Engineer and Planning Commission Office and placed on the Planning Commission Agenda and Parish Council Agenda for consideration. A drainage impact study may be required if the Review Engineer determines that the subdivision meets the requirements set forth in Section 13-57. The final plat must be submitted as follows:

1. Review Engineer - 1 copy, including supplementary material and completed Form(s) 20 and 20-B, on the 18th day of the month prior to the planning commission meeting at which it is to be considered. Include drainage inverts and pipe diameters per Sec. 13.59.A.2.
2. Planning Department – 12 copies and 1-11"x17" or smaller copy complete and corrected, including supplementary material including transmittals showing that submittals to all parties and completed Form(s) 20 and 20A, on the 18th day of the month prior to the planning commission meeting at which it is to be considered.
3. Drainage District (if applicable) – 1 copy of the final plat, and the drainage impact study (if required) on or before the 8th day of the month prior to the Planning Commission meeting at which it is to be considered.
4. Parish Health Unit – 1 copy, on the 18th day of the month prior to the Planning Commission meeting at which it is to be considered.

5. Sewer District (if applicable) – 1 copy, on the 18th day of the month prior to the Planning Commission meeting at which it is to be considered.
6. Fire District – 1 copy, on the 18th day of the month prior to the Planning Commission meeting at which it is to be considered.
7. A drainage impact study must be submitted for ten (10) lots or more to the Review Engineer, Planning Director and Drainage District (if applicable) and approved prior to final plat approval. For less than ten (10) lots, the drainage impact study will not be required unless it is recommended by the Review Engineer/Planning Director or Drainage District. Within ten (10) working days of submittal of the drainage impact study the Review Engineer and Drainage District (if applicable) must provide the O/D/S's Project Engineer with comments from his review.

The drainage impact study must be submitted on the 8th day of the month prior to the Planning Commission meeting to be considered.

The original of the final plat must be submitted to the Review Engineer and Parish President and/or Planning Director for approval and signature. After all fees are paid the plat is approved and signed, the O/D/S shall record a copy of the plat in the official records of the Clerk of Court and provide four (4) certified copies to the Planning Commission office.

FURTHERMORE, BE IT ORDAINED by the Livingston Parish Council, governing authority of the Parish of Livingston, State of Louisiana:

SECTION 13-49.6 of ARTICLE IV of CHAPTER 13 of the Code of Ordinances is hereby amended as follows:

SECTION 13-49.6 REQUIREMENTS FOR MINOR SUBDIVISIONS, paragraphs E shall be deleted in its entirety and replaced with the following:

- E. The following sign will be required for minor subdivisions consisting of 4 or more lots. (Family Partitions and Exchange of Property between adjoining property owners are exempt) The O/D/S shall erect a four (4') foot by eight (8') foot black and white sign with a minimum of four (4") inch high letters located with no obstructions within five (5) feet of the nearest public right-of way leading to the subdivision. The bottom of the sign shall be at least four (4') feet from the ground. Twenty-five percent (25%) of sign may be dedicated for advertising purposes and graphics, provided such area is contiguous. The sign shall be erected at least 10 days prior to the planning director approval. The sign shall be titled "A Minor Subdivision Is Proposed For This Site" and shall contain the following information:

1. Name, address and phone number of O/D/S
2. Name of subdivision or development
3. Number of lots (to be divided)
4. Number of acres in the development

BE IT FURTHER ORDAINED by the Livingston Parish Council, governing authority of the Parish of Livingston, State of Louisiana: Chapter 13, Planning and Development, SECTION 13-50, PROCEDURE FOR SUBDIVISIONS WITH IMPROVEMENTS, SECTION E of the Code of Ordinances of the Parish of Livingston, Louisiana, is hereby amended by deleting and adding the following paragraphs for Section 13-50, the entirety of Section E which shall read as follows:

Section 13-50. Procedure for Subdivisions With Improvements

E. STAGE 5 – *Final Plat and bonding*

Upon the recommendation of the review engineer, the planning director shall approve the final plat.

The O/D/S may request approval of the final plat by constructing all improvements shown on the construction plans and posting a maintenance bond to start the 18 (eighteen) month maintenance period. The procedures are defined in Section 13-50.2 of these regulations and only apply after completion and final inspection. The O/D/S may choose to substantially complete construction and post a performance bond for punch list items shown on the final inspection report to receive approval of the final plat.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith are hereby repealed. If any provision of this ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this ordinance are hereby declared to be severable.

The effective date of this ordinance shall be as prescribed by law.

Upon being subjected to a vote, the vote thereon was as follows:

YEAS: MR. GOFF, MR. HARRIS, MS. LANDRY, MR. NORRED, MR. PARENT, MR. SHARP, MR. BLACKWELL, MS. COLLINS

NAYS: NONE

And the ordinance was declared adopted on the 25th of October, 2012.

Cindy Wale, Council Chair

ATTEST:

Lisa Frederick, Council Clerk

INTRODUCED _____ ADOPTED _____

DELIVERED TO PRESIDENT _____, _____ o'clock ____ .M.

APPROVED BY PRESIDENT _____
Layton Ricks Date

VETOED BY PRESIDENT _____
Layton Ricks Date

RECEIVED FROM PRESIDENT _____, _____ o'clock ____ .M.